IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.87 OF 2005

The Great Eastern Shipping Co. Ltd. ... Petitioners.

vs.

Indian Oil Corporation Ltd. & others. ... Respondents.

Mr.R.A.Dada with B.B.Saraf i/b. Hariani & Co., for Petitioners.

Mr.Rahul Narichania i/b. Mulla & Mulla, for Respondent nos.1 to 4.

CORAM: D.K.DESHMUKH,J.

DATED: 3rd May,2005

P.C.:-

1. I have heard learned Counsel for both the sides. I find that the entire problem arose because the file containing minutes of the committee was not produced before the Arbitral Tribunal for its inspection. The learned Counsel appearing for respondents claims that the file cannot be produced before the Arbitrators for their inspection. However, he submitted that if this Court directs, the respondents are willing to produce the file and for that

purpose, it is not necessary to this Court to record any reasons. In this view of the matter therefore, the petition is disposed of in the following terms:-

(i) The respondents to produce the file containing minutes of the committee before the Arbitral Tribunal at the next sitting of the Arbitral Tribunal.

(ii) The Arbitral Tribunal shall go through the file containing minutes to decide the whole issue again without being influenced by the order at Exhibit F to this petition dated 25th November,2004.

Petition disposed of.

C.C. Be expedited.